Scott. II-37—50,000—27-10-41.

N.E

Home (1942) Department.

(7)

Ms. SERIES.

G.O. No. 1036

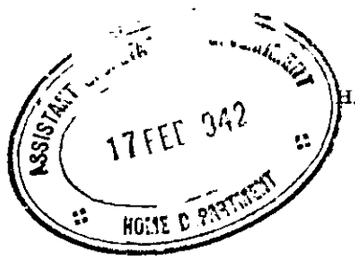
Dated 13th March 1942

[Despatch Abstract.]

Memorial to His Excellency the Governor - Narayana Sri K.- Retired amin - District Munsif's Court, Udipi (South Kanara District)-- Request for enhanced pension etc. - Rejected.

1/

H.Ct. No. 4.—5,002—23-10-39.



R.O.C. No. 348/42-C-1.

05767 G/42
17.2.42

From

S. P. Thompson Esq., I.C.S.,

Registrar of the High Court of Judicature,
Madras.

To

The Secretary to the Government of Madras,

Home Department.
(with enclosures)

Dated, Madras, the 14th February ***1942.***

Sir,

Subject: Memorial to His Excellency the Governor - Sri K. Narayana, retired Amin, District Munsif's Court, Udipi - Request for enhanced pension etc.- Forwarded.

pp 3-5 infra

I am directed to forward a memorial addressed to His Excellency the Governor by Sri K. Narayana, retired amin, District Munsif's Court, Udipi, with reference to G.O.No.Ms.5884 (Home) dated 3-12-1941 withholding his memorial addressed to His Excellency the Governor-General for condonation of the deficiency in superior service or for granting enhanced pension etc.

2. With reference to G.O.No.1306 Public (Services) dated 7-8-1935, I am to state that the memorial relates to a matter already disposed of by His Excellency the Governor, last in G.O.No.Ms.3752 (Home) dated 20-8-1941.

I have the honour to be,
Sir,
Your most obedient servant,

Registrar.

PRL.

To

His Excellency The Governor of Madras,

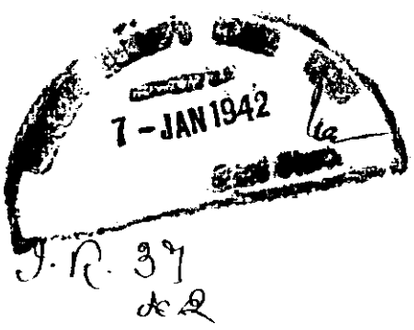
Through.

The District Munsif of Udipi,

The District Judge of South Kanara,

The Hon'ble The High Court of Judicature at Madras and

The Government of Madras.



Humble Memorial of K. Narayana,
Retired Amin, District Munsif's Court,
Udipi, South Kanara.

Dated. 2nd January 1942.

May it please Your Excellency,

Being highly aggrieved by the order passed in G.O. No. 5884 Home Department dated 3-12-41, the Memorialist most respectfully begs to prefer this humble memorial.

2. The Memorialist joined Government service as a sweeper in the District Munsif's Court, Udipi, South Kanara, in the year 1904. He served successfully as sweeper, dalayath, process-server and Court-keeper in inferior service for a period of 24 years, 2 months and 4 days, whereupon he was promoted to superior service as Amin in the same Court. The Memorialist has served as Amin for 11 years, 3 months and 23 days earning a confirmed service of 9 years and 4 months including one year's extension of service granted by the High Court after the age of 55 years. Further extension of service to enable the Memorialist to complete 10 years of confirmed service was refused to the Memorialist under the rules abolishing extension of service in superior service and the Memorialist was compulsorily retired.

3. The Memorialist begs to bring to your Excellency"

4

kind notice that The Hon'ble The High Court also was pleased to recognise the services of the Memorialist as meritorious in its Proceedings R. Dis. No. 566/38 dated 1-8-38, a copy of which is enclosed herewith, on a perusal of all the - - records connected with him.

4/ The Memorialist on retirement has been allowed a pension of Rs 6/- per mensem on the basis of his inferior service.

5/ The Memorialist most respectfully begs to submit that at the time he retired, he was drawing a salary of Rs 33/- per month and he would have been eligible for a pension of nearly Rs 16/- per mensem under the superior service, but for the deficiency of about 8 months in his confirmed superior service.

6/ The Memorialist most humbly begs to bring (to) your Excellency's kind notice that the Provincial Government could have condoned the deficiency of 8 months in the qualifying service and granted him a pension under the superior service as per rules enunciated in Memo No. 37173 Pen. 2 dated 6-10-39 of the Finance (Pension) Department.

7/ The humble Memorialist while submitting further that he being highly aggrieved by the orders passed on the numerous memorials, prays (that) Your Excellency may be graciously pleased to consider the Memorialist's case sympathetically to redress the grievances of a most humble servant of Your Excellency.

8/ The humble Memorialist therefore most respectfully prays that Your Excellency may be graciously pleased after considering the Memorialist's case, condone the deficiency of 8 months of qualifying service in the superior service of the Memorialist and to grant him a pension admissible

under the superior service or in the alternative to grant him a fair and reasonable pension under the peculiar - - circumstances of the Memorialist's case or such other - - relief as Your Excellency may be pleased to deem fit.

Errors. *2* only.

1

Proceedings of the High Court of Judicature at Madras.

Subject:- Appeal-petition-K. Narayana, Amin, - - District Munsif's Court, Udipi - against refusal of extension of service-allowed.

Read the following paper:-

1. Appeal petition dated 30-6-1938 from K. - - Narayana, Amin.
2. Letter Dis. No. 3633 dated 4-7-1938 from the District Judge, South Kanara.

O r d e r:- R. Dis. No. 586/38 dated 1st August 1938.

The Appellant has had a meritorious service. Lack of knowledge of English was not considered a bar -- to his appointment as Amin nor to his continuance in - - that post. It is no reason therefore for his premature retirement. The appeal is therefore allowed.

2. The intervening period from 1st July 1938 till the Appellant rejoins duty should be treated as such leave to which he may be eligible.

Sd/- S. Appasami Pille.

for Deputy Registrar, App.Side.
2/8

(True Copy).

2-1-42

8.

Home Department.

C.No. 5767 E 42 From the High Court, R.O.C.No. 348/42-C-1 dated 14-~~11~~ 2-1942.

Sub: Memorial to H.E. the Governor- Narayana, Sri.K-retired amin. Dt. Munsif's Court, Udipi-Request for enhanced pension etc.

A.S.

The High Court has forwarded a memorial addressed to His Excellency the Governor by Sri K. Narayana, retired amin, Dt. Munsif's Court, Udipi (South Kanara Dt.) in which he requests that the deficiency (of 8 months qualifying service) in his superior service may be condoned and he may be granted enhanced pension or that such other relief ~~x~~ may be granted as His Excellency may be pleased to deem fit.

2. Submitted that (three memorials to H.E. the Govr. containing a) ~~the~~ request for the grant of an enhanced pension, submitted by the memorialist, were rejected.-Cf. G.O.Nos.408 Home dated 26.1.40, ~~and~~ No.4253 Home d.21.10.40 and No.3752 Home dated 20.8.41. The present memorial relates to a matter already disposed of by H.E. the Govr. and is therefore liable to summary rejection under instruction under

2. ~~7~~ in the G.O. at (X). 621 / 5767E

3. Submitted that the file may be sent to the P.S.G. for submission to His Excellency the Governor with reference to instruction 109 of the Secretariat Instructions. 57-42

19.2.42 GK 19/2

22/2

PSG.

H.E. rejects the petition

4/3.

MS. The following draft order is submitted for approval.

10/3

Memorial to H.E. the Govr. - Narayana, Smt K. retired amin, Sr. munsiff court, Udipi (S. Kanara Dt) - Request for enhanced pension etc. - Rejected.

Read:

Ors. no. 408 Home d. 26.1.40. (K)

no. 6253 Home d. 21.10.40. T

no. 3752 Home d. 20.8.41 V

Read also:

13/3 c.no. 5767E) from the High court - Madras Roc. no. 3681/42/C1 dt d. 14.2.42.

Order/MS. no 1036 Dated 13-3-42

The memorialist should be informed that His Excellency the Govr. has rejected his petition

12/3

To the Hon'ble the CJ (Curtis CJ)

10/3 GK 11/3

Put away PSG.